

# Manufactured Housing: Consumer Resources

## Frequently Asked Questions

1. **Who can make a complaint?** Any homeowner can make a complaint, but we can only take action on the complaints subject to our jurisdiction. Those fall into two classes: complaints about licensees and complaints about unlicensed activity.
2. **If I make a complaint about a licensee, what will the department do?** When there is a complaint about a licensee, we have a wide range of things we can do to help the consumer get what the law requires and to impose appropriate penalties on licensees if they are found to have violated the requirements of the law. Licensees must also maintain bonds, and if they fail to do what the law requires, we can take care of the consumer and pursue reimbursement from the licensee's bond.
3. **If I make a complaint about someone who isn't licensed, what will the department do?** If the complaint is about unlicensed activity, we can refer the matter to the Attorney General to obtain injunctive relief (shut them down). If a person is not licensed, there will be no bond to enable us to take care of any damages the consumer may incur.
4. **Will the person I complain about know it is me making the complaint?** You should assume that they will. There is a presumption that state records are open to the public. If you have a situation where it is important to maintain confidentiality, please call us to discuss it before sending in a written complaint that could become a public record.
5. **How do I file a complaint?** We have a Consumer Complaint Form that asks for the basic information we need to start a complaint investigation. Visit the Online Forms section of the Consumer Resource page. If you cannot complete the form, you can call us and we will take the information over the phone.
6. **Are there any time requirements on filing complaints?** You should immediately file a complaint as soon as you become aware of a problem. For many complaints you need to take action within one year of purchasing the home, but some remedies may be available if it can be determined that the home was constructed improperly. If you have questions about whether or not you are too late, go ahead and file a complaint. If we cannot process your complaint because it was filed too late, we will let you know.

7. **Should I do anything else to protect myself besides filing a complaint?** That is up to you. We cannot advise you on what else you ought to do. However, there is nothing that precludes you consulting an attorney or taking other action to protect yourself while your complaint is being handled. Remember, even if we have jurisdiction and find that a licensee did not do what the law required, there are limits to the remedies we can provide.
8. **My complaint is not really about my manufactured home. It relates to some other aspect of my transaction (like the loan, my lease, my lot, etc.). Can you help?** Buying a home is a complex transaction, and it often involves other parties besides the retailer and installer, such as lenders, contractors, landlords, and so on. The Manufactured Housing Section only has jurisdiction to pursue items that are determined to be failures to conform to the Manufactured Home Construction and Safety Standards (24 CFR 3280). We cannot pursue matters which may be cosmetic or contractual in nature. Assistance may be sought from the [Division of Consumer Affairs](#) in those matters, or you may have other venues of recourse available through other State or Federal agencies.

If your problems go beyond what we regulate and oversee, you may wish to also contact an attorney.

9. **I have a problem with a manufactured home I already bought. What do I do?** That depends on what the problem is and when it occurred. The law and your warranty documents will set out what your rights are. Generally speaking, on a new home you have a warranty for at least one year, and on a used home, you may or may not have any warranty depending on your purchase agreement. Any home, new or used, that you buy from a licensee is required to come with good title. Whatever your problem is, if you have been unsuccessful in getting it addressed or you are running out of time for coverage, you can file a complaint with us. If your problems go beyond what we regulate and oversee, you may wish to also contact an attorney or the [Division of Consumer Affairs](#).

10. **What will you do with my complaint?** If we believe that your complaint is on a matter over which we have jurisdiction and it relates to the home itself, we usually will schedule an inspection. We will invite other parties, such as the manufacturer, the retailer, and the installer, to attend if they may have responsibility. We will issue a report of inspection and if we find that any licensee has responsibility, we will assign it. Unless the licensee disagrees with the assignment, they will be expected to take prompt corrective action (usually within 40 days) and provide us with evidence of what they did to address the matter. If the complaint does not relate to the home but relates to some other aspect of your dealings with a licensee, such as disputes over deposit refunds, failure to provide disclosures, or deceptive trade practices, you will need to contact the Division of Consumer Affairs will go as far as we can with the documentation that you provide and, as needed, investigate and obtain additional documentation.

**11. How long does the complaint process take?** That depends on a number of factors, such as the nature of the complaint, whether or not any of the items are disputed, accessibility to the home for any inspection or corrective action needed, the types of repairs or corrections that may be required, parts that may need to be ordered, etc.

**12. Is my home a "HUD-code manufactured home" or a "mobile home"?** To make this determination, you will need to answer a few questions.

- Is the home built on a permanent chassis? **(YES)**
- Is the home transportable in one or more sections? **(YES)**
- In the traveling mode, is the home at least eight body feet in width? **(YES)**
- Was the home constructed before June 15, 1976? **(NO)**
- Is the home a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g)? **(NO)**

[24 C.F.R. Section 3282.8(g) defines a recreational vehicle as one which is: 1) Built on a single chassis; 2) 400 Square feet or less when measured at the largest horizontal projections; 3) Self-propelled or permanently towable by a light duty truck; and 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use].

If your answers match the answer provided at the end of all the questions above, the home is a HUD-code manufactured home. HUD-code manufactured homes must have a HUD certification label, which is a red metal label affixed to a manufactured home by the home's original manufacturer. The HUD certification label, commonly referred to as the HUD label, exists as proof that your house was constructed under the Federal Manufactured Housing Program administered by HUD.